

MEMO ENDORSEMENT

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July 25, 2023

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Via ECF
Kenneth M. Karas, U.S.M.J.
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: Chester Brozowski v. Target Corporation, et al.
D/L: April 13, 2021
SDNY Case No.: 7:23-cv-00127
Our File No.: TARN-204-ML

Dear Judge Karas:

This firm represents the defendant, Target Corporation, in connection with the above. Please accept this letter as Target's request, with the consent of counsel for plaintiff, for an extension of certain discovery deadlines as contained in Your Honor's Case Management Scheduling Order filed April 20, 2023 (document 6). For the reasons set forth herein, the parties request a 75 day extension of certain existing discovery deadlines.

Plaintiff treating with a number of medical providers, and also has medical records from multiple insurance sources, including Medicare. However, this office has had difficulty securing a number of medical records from a handful of providers, and indeed, has issued subpoenas. The parties were prepared to go forward with plaintiff's deposition recently, but would be handicapped in doing so, risking the possibility of having to recall the plaintiff upon receipt of further medical records. As suggested, we have worked diligently to obtain plaintiff's medical records, with only partial success.

The current pertinent discovery deadlines are as follows: Depositions to be completed by July 31, 2023; all fact discovery completed by August 31, 2023; disclosure of plaintiff's experts by September 18, 2023; and disclosure of defendant's experts by October 30, 2023.

If Your Honor is so inclined to grant this application, the new pertinent discovery

deadlines would be as follows: depositions to be completed by October 16, 2023; all fact discovery by November 14, 2023; plaintiff's expert disclosures by January 2, 2024; and defendant's expert disclosures by February 13, 2024.

This is the first request for any extension of discovery deadlines. As stated, it is made with the consent of plaintiff's counsel.

Should Your Honor be so inclined to graciously grant this request, my office will prepare an amended case management and scheduling order for Your Honor's execution.

Thank you for Your Honor's consideration of this request.

Respectfully,

/s/Mitchell B. Levine

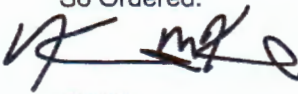
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cc: Peter A. Iannuzzi, Esq. – Via Email piannuzzi@sobolaw.com

Counsel are to provide an amended case management plan with the schedule proposed herein and leaving the date for the next case management conference blank. There will be no further discovery extensions.

So Ordered.



7/25/23